

**ENTERED**

July 27, 2022

Nathan Ochsner, Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

OBEL CRUZ-GARCIA,

Petitioner,

V.

BOBBY LUMPKIN,  
Director, Texas Department of  
Criminal Justice, Correctional  
Institutions Division

Respondent.

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CIVIL ACTION NO. 17-cv-3621

## ORDER

Petitioner Obel Cruz-Garcia has recently filed a motion for an evidentiary hearing and a motion for discovery. (Docket Entry Nos. 74, 75). Respondent Bobby Lumpkin has filed an unopposed motion to amend the scheduling order in this case. (Docket Entry No. 76). Respondent wants to file a response to the pending motions at this same time he files an answer in this case.

The Court **GRANTS** Respondent's motion. The Court **ORDERS** as follows:

1. On or before **September 1, 2022**, Respondent shall file his dispositive motion or answer to Cruz-Garcia's amended petition and his responsive pleading to Cruz-Garcia's motions for an evidentiary hearing and discovery.
2. Within **sixty (60) days** of the date Respondent files his dispositive motion or answer and his responsive pleading to Cruz-Garcia's motions for an evidentiary hearing and discovery, Cruz-Garcia shall file his reply to the dispositive motion or answer and his reply in support of his motions for an evidentiary hearing and discovery.

The Clerk shall enter this Order and provide a copy to the parties.

SIGNED on July 27, 2022, at Houston, Texas.

A handwritten signature in black ink, reading "Lee H. Rosenthal". The signature is fluid and cursive, with a large loop at the end of the last name.

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Lee H. Rosenthal  
Chief United States District Judge